

I think that we ought to think long and hard before we pass an amendment which, I believe, is very extreme, and I believe that its effect—I do not know about purpose—turns the clock back a good many decades. I think it would be a profound mistake for us to support the Gramm amendment. I think that the Murray/Cohen/Daschle/Moseley-Braun amendment, if we are going to have this debate tonight, should and must be the prudent middle ground for us.

Mr. GRAMM. Mr. President, for 30 years we have had unfairness built into the law of the land. I am trying to turn the clock forward to the future, where not only do we have a goal of equal opportunity and merit as a nation, but that our laws reflect it.

In terms of what we all wish when we see our children, I think we all hope for them a society where ultimately merit triumphs. We have heard a lot tonight about problems in America's past, and there are a lot of them. But I think, also, we have to give ourselves credit. America is the greatest, freest country in the history of the world. Since our colleague brought up looking at his grandchildren and thinking about their future, let me conclude on that remark by talking about America in action.

My wife's grandfather came to this country as an indentured laborer to work in the sugarcane fields in Hawaii. I do not know whether they let him vote during that period or not. But they certainly let him work, and he worked off that contract.

His son, my wife's father, became the first Asian American ever to be an officer of a sugar company in the history of Hawaii. Under President Reagan and President Bush, his granddaughter, my wife, became chairman of the Commodity Futures Trading Commission, where she oversaw the trading of all commodities and commodity futures, including the same sugarcane her grandfather came to this country to harvest so long ago.

That is not the story of an extraordinary family. That is the story of a very ordinary family in a very extraordinary country. I want every child born in this country to have the same opportunities that my wife's grandfather had when he came to America. But we are not going to grant those opportunities by writing unfairness into the law of the land. We are not going to fix problems and unfairness in the past by writing unfairness into the law.

There is only one fair way to decide who gets a job, who gets a promotion, and who gets a contract. That fair way is merit, and merit alone.

What my amendment tries to do is go back to merit. This is not a sweeping amendment. This amendment applies to this bill, this year. What this amendment says, very simply, is this, that in letting contracts—it does not apply to contracts that already are in existence, but on the contracts that we will enter into through the funds that we appropriate this year, new con-

tracts—that the letting of those contracts will be on a fair, competitive basis, where merit will be the determining factor.

This is not a revolutionary idea. Although, I guess in a sense it is a revolutionary idea. It is the most revolutionary idea in history. It is the American idea. It is the American ideal. Merit should be the basis of selection and award. That is what my amendment says.

The amendment which is offered, the alternative, says that you should not give contracts to people who are not qualified, but that begs the question of whether someone else was better qualified. Merit is what I seek in this amendment. If you believe in it, I think you should support the amendment. If you support set-asides, I believe you should vote against my amendment and you should vote for the amendment of the Senator from Washington [Mrs. MURRAY].

I reserve the balance of my time.

Mrs. MURRAY. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Washington has 2 minutes and the Senator from Texas, 3 minutes.

Mrs. MURRAY. I yield 1 minute to the Senator from Illinois.

Ms. MOSELEY-BRAUN. Thank you very much, Mr. President, and I thank the Senator from Washington. I will be very brief.

The Senator from Texas keeps referring to two wrongs not making a right. We all know that the first wrong which he refers to, the history as well as the present experience that we had in this Nation, was discrimination.

Let me submit to everyone who is listening, the second wrong is not affirmative action. It is not our effort to fix that tragic legacy. The second wrong lies in this amendment in shutting the door, closing down the small efforts, the small steps we have taken, to remedy, to provide for opportunity, to give people a shot, to give people a chance.

I say to my colleagues, as someone who is both minority and female, I am not comforted at the notion that by getting rid of affirmative action anybody is doing me a favor. So I encourage my colleagues to defeat the amendment from the Senator from Texas.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. MACK. Mr. President, I have a consent agreement that has been approved on both sides of the aisle on a matter other than this bill.

Mr. DOLE. Mr. President, as some of my colleagues may know, I am in the process of preparing legislation that is designed to get the Federal Government out of the business of granting group-preferences. I will be introducing this legislation next week.

This legislation will stand for a simple proposition—that the Federal Government should neither discriminate against, nor grant preferences to, individuals on the basis of race, color, gender, or ethnic background.

Whether it is employment, or contracting, or any other federally conducted program, our Government in Washington should work to bring its citizens together, not to divide us. Our focus should be protecting the rights of individuals, not the rights of certain groups.

The amendment offered by my distinguished colleague from Texas is consistent with the approach embodied in the bill I will be introducing next week. And of course, I look forward to working with him as well with all of my colleagues on both sides of the aisle.

Rather than the piecemeal approach of amending each of the appropriations bills, I would prefer to address this very, very important issue more thoroughly and as a separate matter—and that's the point of my bill—to serve as a starting point for this discussion.

This legislation may not be perfect, but it is my hope that it can act as the basis for a serious, rational, and, yes, optimistic dialog on one of the most contentious issues of our time.

Of course, our country's history has many sad chapters—slavery, Jim Crow, separate but equal. And, of course, discrimination persists today. We do not live in a color-blind society. I understand this.

But, Mr. President, fighting discrimination should not be an excuse for abandoning the color-blind ideal. The goal of expanding opportunity should not be used to divide Americans by race, by gender, or by ethnic background. Discrimination is wrong, and preferential treatment is wrong, as well.

So, Mr. President, our goal should be to provide equal opportunity—but not through quotas, set-asides, and other group preferences that are inimical to the principles upon which our country was founded.

A relevant civil rights agenda means conscientiously enforcing the anti-discrimination laws. It means outreach and recruitment. And it means knocking down regulatory barriers to economic opportunity, including repeal of the discriminatory Davis-Bacon Act; enacting school choice programs for low income innercity families; and fighting the scourge of violent crime that is unquestionably one of the biggest causes of poverty today.

This is the agenda upon which dreams can be built—and it is an agenda that this Congress should be relentlessly pursuing.

#### UNANIMOUS-CONSENT REQUEST— H.R. 1944

Mr. MACK. Mr. President, I have a consent agreement that has been approved on both sides of the aisle on a matter other than this bill.

I ask unanimous consent that following the disposition of the legislative appropriations bill, the Senate turn to